

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

David Clegg, et al.

v.

Civil No. 08-cv-00300-JL

Gary S. Fischer, et al.

**ORDER AFTER PRELIMINARY  
PRETRIAL CONFERENCE**

The Preliminary Pretrial Conference was held in chambers on **February 2, 2009**.

The Discovery Plan (document no. 13) is approved as submitted, with the following changes:

- Third party joinder deadline - **April 1, 2009**
- DiBenedetto disclosure deadline - **April 1, 2009**
- Trial - **March, 2010**

Based on the discussions between the court and counsel/parties at the conference, the following are **stricken** without prejudice to being reinstated on request if warranted by the evidence:

- Counts 6 and 7 of the Complaint.
- the following affirmative defenses: None

SO ORDERED.

  
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Joseph N. Lapiante  
United States District Judge

Dated: February 2, 2009

cc: Jeffrey R. Mazer, Esq.  
Daniel J. Mullen, Esq.  
David A. Garfunkel, Esq.